Montana State Legislature

2015 SESSION ADDITIONAL DOCUMENTS

Business Page [Signed by Chairman]
Roll Call
Standing Committee Reports
Tabled Bills
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Visitor Registrations

*Any other documents, which were submitted after the committee hearing was ended and/or was submitted late [within 48 hours], but regarding information in the committee hearing. Witness Statements that were not presented as exhibits.

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BUSINESS REPORT

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

HOUSE JUDICIARY COMMITTEE

Date: Friday, January 23, 2015

Place: Capitol

Time: 8:00 AM

Room: 137

BILLS and RESOLUTIONS HEARD:

HB 173 - Prohibit agency rule-making concerning marijuana - Rep. David (Doc) Moore HB 197 - Provide for an enhanced sentence for assault on a pregnant woman - Rep. Keith Regier

EXECUTIVE ACTION TAKEN:

HB 12 - Do pass as amended

HB 19 - Do pass

HB 43 - Do pass as amended

HB 88 - Do pass as amended

HB 128 - Do pass

HB 129 - Do pass as amended

HB 133 - Do pass as amended

HB 161 - Do pass

Comments:

REP. Gerald (Jerry) Bennett, Chair



MONTANA HOUSE OF REPRESENTATIVES

JUDICIARY COMMITTEE ROLL CALL

NAME	PRESENT	ABSENT/EXCUSED
REP. ALAN DOANE, VICE CHAIRMAN	4	
REP. VIRGINIA COURT, VICE CHAIR	X	
REP. KATHY KELKER	X	
REP. SETH BERGLEE	X	1000
REP. RANDALL PINOCCI	X	
REP. CLAYTON FISCUS	X.	
REP. JENNY ECK	×	
REP. ZAC PERRY	X	
REP. MATTHEW MONFORTON		X
REP. MARGIE MACDONALD	X	
REP. ELLIE BOLDMAN HILL	X	
REP. CAROLYN PEASE-LOPEZ	X	
REP. SARAH LASZLOFFY	X	
REP. THERESA MANZELLA	X	~
REP. NATE MCCONNELL	1	
REP. STEPHANIE HESS	X	
REP. G. BRUCE MEYERS	X	
REP. KIRK WAGONER	X	The state of the s
REP. ANDREW PERSON	X	
REP. KEITH REGIER	×	7.994
REP. JERRY BENNETT, CHAIRMAN	X	



January 23, 2015 Page 1 of 2

Mr. Speaker:

We, your committee on Judiciary recommend that House Bill 88 (first reading copy -- white) do pass as amended.

Signed: Representative Gerald Yerry) Bennett, Chair

And, that such amendments read:

1. Title, page 1, lines 6 and 7.

Strike: "REQUIRING THE DISTRICT COURT TO DESIGNATE A SEXUAL OFFENDER EVALUATOR TO CONDUCT A PSYCHOSEXUAL EVALUATION;"

2. Title, page 1, line 11.

Strike: "46-23-506,"

3. Page 1, lines 23 and 24.

Strike: "the district court shall designate a sexual offender

evaluator to conduct "

Insert: "the investigation must include"

4. Page 1, line 24.

Strike: "to make"

5. Page 1, line 27.

Strike: "The district court shall select"

Insert: "The evaluation must be completed by"

6. Page 2, line 4.

Strike: "or the defendant"

7. Page 7, line 30 through page 9, line 10.

Strike: section 5 in its entirety

Renumber: subsequent sections

8. Page 10, line 14.

Committee Vote:

Yes 21, No 0

Fiscal Note Required X

HB0088001SC.hbb

1/2 2/2/2

Following: "federal government"

Strike: "that"

Insert: "who are not currently under the supervision of the

department or the youth court and"

9. Page 10, line 15.

Following: "assessments"

Insert: "and psychosexual evaluations"

10. Page 10, line 16.

Following: "assessment"

Strike: "must"

Insert: "or psychosexual evaluation shall"

11. Page 10, line 18.

Following: "association"

Insert: "or has comparable credentials acceptable to the

department of labor and industry"



January 23, 2015 Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 128** (first reading copy -- white) **do pass**.

Signed: Dennett, Chair
Representative Gerald (Jerry) Bennett, Chair

- END -

Committee Vote:
Yes 21, No 0
Fiscal Note Required X

1/2/45 H



January 23, 2015 Page 1 of 2

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 129** (first reading copy -- white) **do pass as amended**.

And, that such amendments read:

1. Page 1, line 15 through line 24.

Following: "(2)" on line 15

Strike: remainder of line 15 through line 24

Insert: "(a) If a parent's change in residence will significantly affect the child's contact with the other parent, the parent who intends to change residence shall, pursuant to 40-4-219, file a motion for amendment of the residential schedule and a proposed revised residential schedule with the court that adopted the residential schedule or the court to which jurisdiction or venue over the child has been transferred. The motion must be served personally or by certified mail on the other parent and served pursuant to the Montana Rules of Civil Procedure on the parent's attorney of record, if the parent has an attorney of record, not less than 30 days before the proposed changed in residence.

- (b) The notice pursuant to this subsection (2) is not sufficient unless it contains the following statement: "The relocation of the child may be permitted and the proposed revised residential schedule may be ordered by the court without further proceedings unless within 21 days you file a response and alternate revised residential schedule with the court and serve your response on the person proposing the move and all other persons entitled by the court order to residential time or visitation with the child."
- (3) The parent who receives service of a motion to amend the parenting plan pursuant to this section has 21 days after service of the motion to file a response. If the parent receiving notice

Committee Vote: Yes 21, No 0 Fiscal Note Required

103:17 N 3/12 objects to the proposed revised residential schedule, the responding parent shall include an alternate proposed revised residential schedule with the response. The response must be served as provided for by the Montana Rules of Civil Procedure on the parent proposing to change residence or on the parent's attorney of record if the parent has an attorney of record.

- (4) If a parent is properly served with a motion to amend the parenting plan pursuant to this section, failure to file a response within the 21-day period constitutes acceptance of the proposed revised residential schedule.
- (5) A person entitled to file an objection to the proposed relocation of the child may file the objection regardless of whether the person has received proper notice."



January 23, 2015 Page 1 of 1

Mr. Speaker:

We, your committee on Judiciary recommend that House Bill 133 (first reading copy -- white) do pass as amended.

And, that such amendments read:

1. Page 1, lines 28 and 29.

Following: "before"

Strike: remainder of line 28 through line 29
Insert: "the following specialty courts:"

2. Page 1, line 30.

Following: "46-1-1103"

3. Page 2, line 1.

Strike: "or"

4. Page 2, line 2.

Strike: "and"

Following: line 2

Insert: "(D) a court that serves participants with co-occurring
 disorders, including a mental health treatment court that is
 combined with a drug treatment court; or

(E) a veterans treatment court; and"

- END -

Committee Vote: Yes 11, No 10

Fiscal Note Required X

HB0133001SC.hbb

1/2/1/2



January 23, 2015 Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 161** (first reading copy -- white) **do pass**.

Signed: Representative Gerald (Jerry) Bennett, Chair

- END -

Committee Vote: Yes 21, No 0 Fiscal Note Required ___

1183/14



January 23, 2015 Page 1 of 2

Mr. Speaker:

We, your committee on Judiciary recommend that House Bill 12 (first reading copy -- white) do pass as amended.

Signed: All Chair Representative Gerald (Jerry) Bennett, Chair

And, that such amendments read:

1. Page 1, line 24 through line 26.

Strike: subsection (4) in its entirety

Insert: "(4) (a) Either party to a dissolution or legal
 separation may request entry of a decree of dissolution or
 legal separation without a hearing by filing an affidavit
 with the court.

- (b) The court may enter a decree of dissolution or legal separation without a hearing when:
 - (i) the affidavit sets forth a prima facie case that:
- (A) the parties have reached a voluntary resolution of all matters related to the dissolution or legal separation;
- (B) the parties stipulate to entry of the decree by affidavit in lieu of a hearing; or
 - (C) a party is found by the court to be in default; and
 - (ii) it appears to the court that:
 - (A) the jurisdictional requirements of 40-4-104 exist;
- (B) the parties have complied with the financial disclosure provisions of 40-4-252 through 40-4-254 or 40-4-257;
- (C) (I) a separation agreement, as provided for in 40-4-201(1), containing provisions for disposition of any property owned by either or both parties, distribution of any debts owed by either or both parties, maintenance of either party, and support, parenting, and parental contact with any minor children of the parties has been filed with the court prior to or concurrently with the affidavit; or
- (II) in the case of default, the proposed decree contains identical relief sought in the petition for dissolution or legal

Committee Vote:
Yes 11, No 10
Fiscal Note Required ____

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separation;

- (D) the party filing the affidavit waives the right to appear personally in court to present testimony as to any matters and requests the court to enter a decree without a hearing or the necessity of entry of findings of fact and conclusions of law;
 - (E) the affidavit includes a proposed decree form; and
- (F) the affidavit includes the following statement: "Failure to object to the proposed decree of dissolution or legal separation within 14 days of service shall be presumed to be consent to the proposed form of the decree, and the court may proceed to enter the decree as proposed by affiant unless, within 14 days of service, you file an objection with the court and serve your objection on all parties entitled to service in this action."
- (c) Regardless of compliance with the affidavit requirements of subsection (4)(b), the court may require the personal appearance of a party or interested person for any reason the court considers necessary.
- (d) Unless all parties in the action have submitted affidavits for dissolution of marriage or legal separation without a hearing, to ensure all parties are apprised of the request for entry of the decree of dissolution or separation without a hearing and have an opportunity to raise an objection to the entry of the decree, the party who filed the affidavit shall serve the affidavit and the proposed decree on all parties to the action.
- (e) The nonrequesting party has 14 days from the date of service of the affidavit to object to entry of the decree of dissolution or legal separation without a hearing. If no objection is filed within 14 days, the court may proceed to enter the decree as proposed by the requesting party.
- (f) If all parties in the action have submitted affidavits for dissolution of marriage or legal separation without a hearing and the court determines that entry of a decree is appropriate, the court may enter the decree without a hearing or waiting for the 14-day objection period to pass."



January 23, 2015 Page 1 of 1

Mr. Speaker:

We, your committee on Judiciary recommend that House Bill 19 (first reading copy -- white) do pass.

Signed: Representative Gerald (Jerry) Bennett, Chair

- END -

Committee Vote:
Yes 11, No 10
Fiscal Note Required ___

HB0019001SC.hbb

123/15



January 23, 2015 Page 1 of 2

Mr. Speaker:

We, your committee on Judiciary recommend that House Bill 43 (first reading copy -- white) do pass as amended.

Signed: Line (Serald (Serry) Bennett, Chair

And, that such amendments read:

1. Page 1, line 21 through line 22.

Following: "final" on line 21

Strike: "decisions" on line 21 through "and" on line 22

2. Page 2, line 5.
Following: "final"

Insert: "final"

Following: "parole and"

Insert: "recommendations concerning"

3. Page 2, line 10.
Following: "final"

Insert: "final"

4. Page 2, line 11.

Following: "decision"

Insert: "concerning parole or a recommendation concerning
 executive clemency"

5. Page 2, line 12.

Following: "final"

Strike: "decisions and"

6. Page 4, line 10.

Strike: "Decision"

Insert: "Recommendation"

Committee Vote:

Yes 20, No 1

Fiscal Note Required ___

HB0043001SC.hbb

1/23/2/2

7. Page 4, line 12.

Strike: "decision" in both places

Insert: "recommendation" in both places

- END -



MONTANA HOUSE OF REPRESENTATIVES

JUDICIARY COMMITTEE ROLL CALL VOTE

BILL NUMBER HB12	DATE 1/23/15
MOTION Be Amended Do	Pass As Amended

NAME	AYE	NO	PROXY
REP. ALAN DOANE, VICE CHAIRMAN		X	
REP. VIRGINIA COURT, VICE CHAIR	X		
REP. KATHY KELKER	X		
REP. SETH BERGLEE		X	
REP. RANDALL PINOCCI	X		
REP. CLAYTON FISCUS	Ka	X	
REP. JENNY ECK	X.		
REP. ZAC PERRY	×		
REP. MATTHEW MONFORTON		X	
REP. MARGIE MACDONALD	X		
REP. ELLIE BOLDMAN HILL	×		X
REP. CAROLYN PEASE-LOPEZ	X		
REP. SARAH LASZLOFFY		\times	
REP. THERESA MANZELLA		×	
REP. NATE MCCONNELL	X		
REP. STEPHANIE HESS		X	
REP. G. BRUCE MEYERS	×		
REP. KIRK WAGONER		X	
REP. ANDREW PERSON	X		
REP. KEITH REGIER		X	·
REP. JERRY BENNETT, CHAIRMAN		X.	



MONTANA HOUSE OF REPRESENTATIVES

JUDICIARY COMMITTEE ROLL CALL VOTE

BILL NUMBER HB 19		DATE 1/23/15		
MOTION DO Pass				
NAME	AYE	NO	PROXY	
REP. ALAN DOANE, VICE CHAIRMAN		<u> </u>	11(02x1	
REP. VIRGINIA COURT, VICE CHAIR	V		·	
REP. KATHY KELKER	X			
REP. SETH BERGLEE		Z		
REP. RANDALL PINOCCI		\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\		
REP. CLAYTON FISCUS		X	****	
REP. JENNY ECK	X	-		
REP. ZAC PERRY	Ϋ́.			
REP. MATTHEW MONFORTON		1		
REP. MARGIE MACDONALD	1			
REP. ELLIE BOLDMAN HILL	X		X	
REP. CAROLYN PEASE-LOPEZ	1			
REP. SARAH LASZLOFFY		X		
REP. THERESA MANZELLA		X	· · · · · · · · · · · · · · · · · · ·	
REP. NATE MCCONNELL	1	***************************************		
REP. STEPHANIE HESS	1			
REP. G. BRUCE MEYERS	1	17-19-146		
REP. KIRK WAGONER		\sim		
REP. ANDREW PERSON	X			
REP. KEITH REGIER		X		
REP. JERRY BENNETT, CHAIRMAN		1		



MONTANA HOUSE OF REPRESENTATIVES

JUDICIARY COMMITTEE ROLL CALL VOTE

BILL NUMBER HB 43	·
MOTION DO PASS OS	Amended

DATE 1/23/15

NAME	AYE	NO	PROXY
REP. ALAN DOANE, VICE CHAIRMAN	VAIL	110	PROAI
REP. VIRGINIA COURT, VICE CHAIR	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\		
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REP. KATHY KELKER	X		
REP. SETH BERGLEE	X		
REP. RANDALL PINOCCI	\checkmark		
REP. CLAYTON FISCUS	X		
REP. JENNY ECK	Ϋ́		1000
REP. ZAC PERRY	X		
REP. MATTHEW MONFORTON	Z	100	
REP. MARGIE MACDONALD	X		
REP. ELLIE BOLDMAN HILL	V.		
REP. CAROLYN PEASE-LOPEZ	X		
REP. SARAH LASZLOFFY	X		
REP. THERESA MANZELLA	X		
REP. NATE MCCONNELL	X		
REP. STEPHANIE HESS	X		
REP. G. BRUCE MEYERS	X		·
REP. KIRK WAGONER		X	
REP. ANDREW PERSON	X		, , , , , , , , , , , , , , , , , , ,
REP. KEITH REGIER	X		
REP. JERRY BENNETT, CHAIRMAN	X		



MONTANA HOUSE OF REPRESENTATIVES

JUDICIARY COMMITTEE ROLL CALL VOTE

BILL NUMBER HB 88	DATE 1/23/15
MOTION Be Amended	

AYE	NO	PROXY
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MONTANA HOUSE OF REPRESENTATIVES

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MONTANA HOUSE OF REPRESENTATIVES

JUDICIARY COMMITTEE ROLL CALL VOTE

BILL NUMBER HB 133
MOTION Do Pass As Amended

DATE 1/23/15

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MONTANA HOUSE OF REPRESENTATIVES

JUDICIARY COMMITTEE ROLL CALL VOTE

BILL NUMBER HB133

MOTION BE Amended

DATE 1/03/15

NAME	AVE	NIO	
	AYE	NO	PROXY
REP. ALAN DOANE, VICE CHAIRMAN		X	
REP. VIRGINIA COURT, VICE CHAIR	X		
REP. KATHY KELKER	X		<u>.</u>
REP. SETH BERGLEE	X		
REP. RANDALL PINOCCI	X		
REP. CLAYTON FISCUS	X		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
REP. JENNY ECK	X		
REP. ZAC PERRY	X		
REP. MATTHEW MONFORTON	X		
REP. MARGIE MACDONALD	X		
REP. ELLIE BOLDMAN HILL	X		
REP. CAROLYN PEASE-LOPEZ	×		
REP. SARAH LASZLOFFY	X	AWA	
REP. THERESA MANZELLA	X		
REP. NATE MCCONNELL	×		
REP. STEPHANIE HESS	X		
REP. G. BRUCE MEYERS	Y		
REP. KIRK WAGONER	X		
REP. ANDREW PERSON	X		
REP. KEITH REGIER	X		V
REP. JERRY BENNETT, CHAIRMAN		X	



MONTANA HOUSE OF REPRESENTATIVES

AUTHORIZED COMMITTEE PROXY

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I request to be excused from	the		udic	iary	Com	mittee	
Committee because of other	commit	ments.	I desire	to leave my	proxy vote	with:	
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Indicate Bill number and you number under the bill and in	r vote	Ave or N	lo. If the	ere are ame	ndments, lis nendment.	st them by na	ame and
BILL/AMENDMENT	AYE	NO		BILL/AME	NDMENT	AYE	NO
HB12 AS AMENDED	X						
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all celles							
Rep. Ollin Hu (Signature)				Date	e <u>61/</u> 0	7/15	01/23/1



MONTANA HOUSE OF REPRESENTATIVES

AUTHORIZED COMMITTEE PROXY

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Rep. Lund			7 1-23	-15	
(Signature)	all Pino	CCi	Date	70	



MONTANA HOUSE OF REPRESENTATIVES

AUTHORIZED COMMITTEE PROXY

I request to be excused from	the	Ho	u Se	Quelician	Ч	
Committee because of other	commitn	nents. I	desire	to leave my proxy vote	with:	
- MAN Do	Ane					
Indicate Bill number and you number under the bill and in	r vote A	ye or N separa	o. If the	ere are amendments, list for each amendment.	t them by na	ime and
BILL/AMENDMENT	AYE	NO		BILL/AMENDMENT	AYE	NO
HB +28	40					
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Rep. (Signature)	u			Date 1-7	3-15	

MONTANA House of Representatives Visitors Register HOUSE JUDICIARY COMMITTEE

Friday, January 23, 2015
HB 173 - Prohibit agency rule-making concerning marijuana
Sponsor: Rep. David (Doc) Moore

PLEASE PRINT

PLEASE PRINT			I	T :
Name	Representing	Support	Oppose	Info
Toylor Long	Representing SD 46 HD 91		X	
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Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA House of Representatives Visitors Register HOUSE JUDICIARY COMMITTEE

Friday, January 23, 2015

HB 197 - Provide for an enhanced sentence for assault on a pregnant woman

Sponsor: Rep. Keith Regier

PLEASE PRINT

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Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

WASHINGTON DRUG CONTROL UPDATE

This report reflects significant trends, data, and major issues relating to drugs in the State of Washington.

Washington At-a-Glance:

- In 2007-2008, Washington was one of the top ten states for rates in several drug-use categories among persons age 12 and older: past-month illicit drug use; past-month marijuana use; and past-year non-medical use of pain relievers.
 - Source: National Survey on Drug Use and Health (NSDUH), 2007-2008.
- Approximately 10 percent of Washington residents reported past-month use of illicit drugs; the national average was 8 percent.
- The rate of drug-induced deaths in Washington is higher than the national average.
- Marijuana is the most commonly cited drug among primary drug treatment admissions in Washington.

Drug Use Trends in Washington

Drug Use in Washington: The National Survey on Drug Use and Health (NSDUH) provides national and state-level data on the use of tobacco, alcohol, illicit drugs (including non-medical use of prescription drugs), and mental health in the United States. In the most recent Survey, 9.59 percent of Washington residents reported using illicit drugs in the past month. The national average was 8.02 percent. Washington's rate was one of the 10 highest among the states. Additionally, 3.74 percent of Washington residents reported using an illicit drug other than marijuana in the past month (the national average was 3.58 percent).

Source: Substance Abuse and Mental Health Services Administration - State Estimates of Substance Use from the 2007–2008 National Survey on Drug Use and Health: http://oas.samhsa.gov/2k8state/Cover.pdf

Drug-Induced Deaths: As a direct consequence of drug use, 1,003 persons died in Washington in 2007. This is greater than the number of persons in Washington who died from motor vehicle accidents (649) and firearms (548) in the same year. Washington drug-induced deaths (15.5 per 100,000 population) exceeded the national rate (12.7 per 100,000).

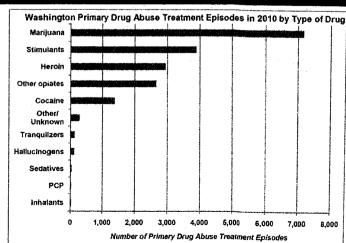
Source: Centers for Disease Control and Prevention - National Vital Statistics Reports Volume 58, Number 19 for 2007: http://www.cdc.gov/nchs/data/nvsr/nvsr58/nvsr58 19.pdf

Substance Abuse Treatment Admissions Data

Washington Primary Treatment Admissions:

The graph at right depicts substance abuse primary treatment admissions in Washington in 2010. The data show that marijuana, followed by stimulants (including methamphetamine), is the most commonly cited drug among primary drug treatment admissions in the state.

Source: Treatment Episode Data Set, Substance Abuse and Mental Health Services
Administration: http://oas.samhsa.gov/dasis.htm

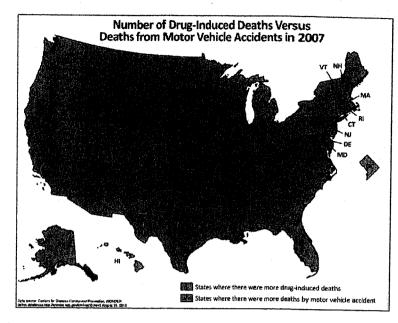


ADDITIONAL DOCUMENTS

Prescription Drug Abuse

ONDCP's Efforts to Combat Prescription Drug Abuse

Prescription drug abuse is the fastest-growing drug problem in the Nation. The Administration's Prescription Drug Abuse Prevention Plan, entitled, "Epidemic: Responding to America's Prescription Drug Abuse Crisis," provides a national framework for reducing prescription drug diversion and abuse by supporting the expansion of state-based prescription drug monitoring programs; recommending secure, more convenient, and environmentally responsible disposal methods to remove expired, unused, or unneeded medications from the home; supporting education for patients and healthcare providers; and



reducing the prevalence of pill mills and doctor shopping through enforcement efforts.

State-Level Action: Prescription Drug Monitoring Programs (PDMPs)

PDMPs serve a number of functions, including assisting in patient care, providing early warning signs of drug epidemics, and detecting drug diversion and insurance fraud. Thirty-five states have operational PDMP programs established by state legislation and funded by a combination of state and Federal funds. An additional 13 states have a prescription drug monitoring program authorized, but not yet operational. Adequate resourcing, increasing the number of states with operational PDMPs, and development of state-to-state information-sharing systems would significantly help reduce prescription drug diversion and abuse.

Washington's Prescription Monitoring Program was enacted under State Law Chapter 70.225 RCW. The program, which falls under the Washington State Department of Health, monitors controlled substances in Schedules II, III, IV, and V. In 2008, the department suspended the program due to financial difficulties. The department secured new funding in the fall of 2010 to restart the effort to implement the program.

*Source: Alliance of States with Prescription Monitoring Programs: http://www.pmpalliance.org/content/washington-state-profile; Washington State Department of Health: http://www.doh.wa.gov/hsqa/PMP/default.htm

State-Level Action: Drug Take-Back Programs

A comprehensive plan to address prescription drug abuse must include proper disposal of unused, unneeded, or expired medications. Providing individuals with a secure and convenient way to dispose of controlled substances will help prevent diversion and abuse of these substances and demonstrate sound environmental stewardship. Federal rulemaking is underway and will further enhance the viability and scope of state and community take-back programs. In the meantime, states are encouraged to work with the DEA to conduct additional take-back events and educate the public about safe and effective drug return and disposal.

Drugged Driving

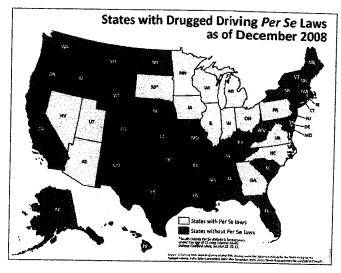
ONDCP Action on Drugged Driving

In 2007, the National Highway Traffic Safety Administration (NHTSA) found that one in eight weekend, nighttime drivers tested positive for illicit drugs. According to recent Fatal Accident Reporting System (FARS) data, one in three motor vehicle fatalities (33 percent) with known drug test results tested positive for drugs in 2009. Recognizing this growing problem, ONDCP is working to raise awareness of the dangers of drugged driving, provide increased training to law enforcement in identifying drugged drivers, and encourage states to consider *Per Se* laws to facilitate effective enforcement and prosecution of those who drive with drugs in their systems.

State-Level Action: Enacting Per Se Standards for Impairment

Although all 50 states have laws against drugged driving, law enforcement often lacks adequate tools to enforce and prosecute drugged driving. ONDCP encourages states to develop and implement *Per Se* standards that make it illegal to drive a vehicle after taking illegal drugs. This is the same standard used successfully for 12 million commercial drivers in the United States over the past two decades. *Per Se* standards have been adopted in 17 states.

Washington does not have a Per Se standard. Under Sections 46.61.502 and 46 of the Revised Code of Washington, a person is guilty of driving and being in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug if the person drives a vehicle within the state and is under the influence of or affected by intoxicating liquor or any drug, or a combined influence of an intoxicating liquor and any drug. Proof required: that the defendant was driving or was in actual physical control of a vehicle in Washington; the defendant was under the influence of or was affected by any drug; was operating a vehicle in a negligent manner likely to endanger persons or property; and while operating the vehicle, the



defendant exhibited the effects of having consumed a controlled substance or a prescription drug. Source: A State-by-State Analysis of Laws Dealing With Driving Under the Influence of Drugs, by the Walsh Group for the National Highway Traffic Safety Administration.

ONDCP Support for Community-Based Prevention

The Drug Free Communities (DFC) Program

Recognizing that local problems require local solutions, Drug Free Communities (DFC) organizations mobilize communities to prevent youth drug use by creating local data-driven strategies to reduce drug use in the community. ONDCP works to foster the growth of new coalitions and support existing coalitions through the DFC grants. In FY 2011, the following Washington coalitions received grants from ONDCP:

- Castle Rock CARE Coalition- Community for Action, Response and Empowerment Coalition
- Central Seattle Drug Free Communities Coalition (CSDFCC)
- Chi-e-chee Network Coalition
- Citizens for Safer Yakima Communities
- Coalition for a Drug and Alcohol Free Orting
- Community Advisory Coalition
- Franklin Pierce Youth First!
- Kelso STOP Coalition

- Kent Drug Free Coalition
- KITSAP Tobacco and Other Substance Abuse Prevention Coalition (KTASC)
- Kittitas County Community Network
- Longview Anti-Drug Coalition
- Lopez Island Prevention Coalition
- Mercer Island Communities That Care
- Okanogan County Community Coalition
- Pend Oreille County Youth Task Force

- Pierce County Leadership for Alcohol and Drug-Free Youth
- Port Angeles Healthy Youth Coalition
- PREVENT! The Substance Abuse Prevention Coalition of Clark County
- Prevention Works in Seattle
- Quincy Communities That Care
- San Juan Island Prevention Coalition
- Snohomish County Federated Health and Safety Network
- Snoqualmie Valley Healthy Community Coalition

- Tacoma Drug-Free Coalition
- Vashon Healthy Community Network
- Wahkiakum Community Network
- Wellspring Community Network
- Whatcom County Prevention Coalition
- White Swan Arts & Recreation Community Coalition
- Yakama Reservation Community Coalition

Source: Office of National Drug Control Policy http://www.ondcp.gov/dfc/grantee map.html

National Anti-Drug Media Campaign

ONDCP's National Youth Anti-Drug Media Campaign provides consistent and credible messages (including those in Native American and Alaska Native communities) to young people about drug abuse and its consequences. Above the Influence, a major component of the Campaign, informs and inspires youth to reject illicit drugs and drinking via a mix of national and local advertising vehicles. The Campaign, in close partnership with local community-based, youth-serving organizations, also conducts teen-targeted Above the Influence activities to assist local groups with youth drug prevention work in their respective communities.

ONDCP High Intensity Drug Trafficking Area (HIDTA) County Info

The High Intensity Drug Trafficking Areas (HIDTA) program enhances and coordinates drug control efforts among local, state, and Federal law enforcement agencies. In designated HIDTA counties, the program provides agencies with coordination, equipment, technology, and additional resources to combat drug trafficking and its harmful consequences in critical regions of the United States.

Northwest HIDTA

Washington Counties: Benton, Clark, Cowlitz, Franklin, King, Kitsap, Lewis, Pierce, Skagit, Snohomish, Spokane, Thurston, Whatcom, and Yakima.

- Northwest HIDTA law enforcement initiatives have established priorities that focus on immobilizing
 Drug Trafficking Organizations (DTOs), especially those involved with drug-related violent crime, and
 targeting those DTOs that have the greatest adverse impact on the quality of life in neighborhoods and
 communities.
- The Northwest HIDTA has implemented its second Native American Project in conjunction with the Snohomish Regional Drug Task Force and the following Tribes: Tulalip, Stillaquamish, Swinomish, and the Sauk Suiattle. The purpose of this project is to fund intelligence-driven operations to detect, deter, interdict, disrupt, and/or dismantle organizations involved in drug trafficking in general on tribal lands, specifically the Yakima Reservation.

Federal Grant Awards Available to Reduce Drug Use in the State of Washington

The Federal Government awards competitive grants to help states in their efforts to reduce drug use and its harmful consequences. In FY 2010, direct support was provided to state and local governments, schools, and law enforcement organizations in your state for this purpose. Some Federal grant programs are dedicated to reducing drug use and its harmful consequences while others can be used for reducing drug use or for other purposes. In FY 2010, your State received support under the grant programs shown below.

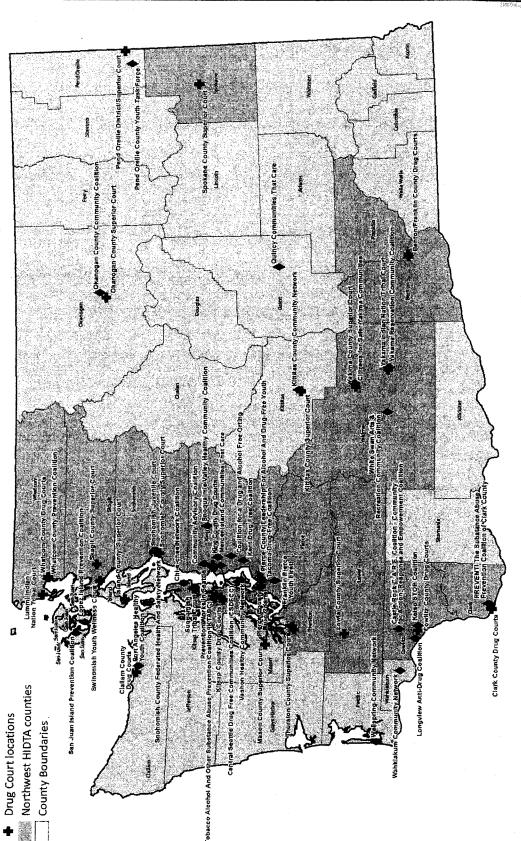
Department of Education	2010
Safe and Drug-Free Schools and Communities_National Programs	
Alcohol Abuse Reduction Grants	2,735,86
Building State And Local Leadership Capacity for Preventing Youth Substance Use and Violence	923,89
Competition To Frevent High-Risk Drinking & Violent Behavior Among College Students	123,37
Grants For School-Based Student Drug-Testing Programs	117,62
Safe Schools/Healthy Students Grants	79,766
Department of Health and Human Services	1,491,207
Administration for Children and Families	
Mentoring Children of Prisoners	6,886,868
Promoting Safe and Stable Families	420,000
Centers for Disease Control and Prevention	6,466,868
HIV Prevention Activities_Non-Governmental Organization Based	555,886
Indian Health Service	555,886
Urban Indian Health Services	926,314
National Institutes of Health	926,314
	31,124,824
Discovery and Applied Research for Technological Innovations to Improve Human Health Drug Abuse and Addiction Research Programs	10,485,996
Substance Abuse and Mental Health Services Administration	20,638,828
Substance Abuse and iviental Health Services Administration	50,701,879
Block Grants for Prevention and Treatment of Substance Abuse	35,098,858
National All Schedules Prescription Electronic Reporting Grant Projects for Assistance in Transition from Heavy In Transi	105,828
Projects for Assistance in Transition from Homelessness (PATH)	1,304,000
Substance Abuse and Mental Health Services_Projects of Regional and National Significance	10,841,193
Substance Abuse and Mental Health Services-Access to Recovery	3,352,000
Department of Housing and Urban Development	•
Assistant Secretary for Community Planning and Development	7,097,957
Shelter Plus Care	7,097,957 7,097,957
Assistant Secretary for HousingFederal Housing Commissioner	7,097,957 (216,086)
Shelter Plus Care	(216,086) (216,086)
Department of Justice	\ *== ,===,
Office of Justice Programs	22 424 960
Congressionally Recommended Awards	22,021,869
Criminal and Juvenile Justice and Mental Health Collaboration Program	3,135,465
Drug Court Discretionary Grant Program	250,000
Edward Byrne Memorial Justice Assistance Grant Program	1,945,709
Enforcing Underage Drinking Laws Program	8,539,673
Harold Rogers Prescription Drug Monitoring Program	1,156,400
Indian Country Alcohol and Drug Prevention	389,738
Juvenile Accountability Block Grants	2,364,554
National Institute of Justice Research Evaluation and Development Project Grants	924,200
National Institute of Justice Research Evaluation and Development Project Grants Recovery Act - Eward Byrne Memorial Justice Assistance Grant (JAG) Program	1,388,444
Recovery Act - Eward Byrne Memorial Justice Assistance Grant (JAG) Program Residential Substance Abuse Treatment for State Prisoners	41,666
Residential Substance Abuse Treatment for State Prisoners Second Chance Act Prisoner Reentry Initiative	394,987
Second Chance Act Prisoner Reentry Initiative Tribal Youth Program	750,000
Iribal Youth Program Department of Labor	741,033
	- 22 2000-00000
Employment and Training Administration Reintegration of Ex-Offendors	500,000
Reintegration of Ex-Offenders	500,000
executive Office of the President	
Office of National Drug Control Policy	4,274,191
High Intensity Drug Trafficking Area Program	4,274,191 4,274,191
Substance Abuse and Mental Health Services Administration	
Drug-Free Communities Support Program Grants	3,917,602 3,917,602
irand Jotal	3,917,602

Office of National Drug Control Policy Programs in Washington with Drug Court Locations



Drug Free Communities program grantees





Source: National Drug Court Institute and ONDCP, September 2011